

H. B. No. 752

By W. Murray
P. P. P. P. P.

A BILL
To Be Entitled

AN ACT relating to the creation of a conservation and reclamation district to be known as the Lower Rio Grande Water Conservancy District, and providing for its administration, rights, powers, duties, and operating procedures; authorizing the District Court to punish for contempt in certain cases; providing that the Act shall be cumulative of other Acts where not inconsistent or in conflict; providing for severability; and declaring an emergency.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

Section 1. There is hereby created within the State of Texas, in addition to the districts into which the State has heretofore been divided, a conservation and reclamation district by the name of "Lower Rio Grande Water Conservancy District" (hereinafter referred to as the "District") and which shall be recognized to exercise all of the powers of and be a governmental agency and body politic and corporate with the powers, rights, privileges and functions hereinafter specified and the creation of such District is hereby determined to be essential to the accomplishment of the purposes of Section 59 of Article XVI of the Constitution of the State of Texas.

Sec. 2. The territory which shall be embraced within the boundaries of the District shall consist of that part of the State of Texas which is included within the whole of Starr, Hidalgo, Cameron and Willacy Counties. It is provided, however, that the boundaries of said District, as hereby established, shall control only until the actual boundaries of the area within said four Counties⁽⁴⁾ having a right to share in the waters of the Rio Grande as hereinafter defined have been established by final judgment or judgments of a court or courts having jurisdiction thereof. As soon as practical after such judgment(s) do become final, the Board of Directors hereinafter elected are directed to define said actual boundaries by written calls of the metes and bounds and file the same with accompanying map or maps in the office of the District in appropriate form. No defect or irregularity in the boundaries of the District shall ever

affect the validity of the District hereby created or any part of its rights, powers, privileges or functions. It is hereby affirmatively found and determined that all of the lands and property included within the boundaries of the District will be benefited and that the District is created to serve a public use and benefit. No election shall be necessary for the purpose of confirming its organization and no hearing shall be held to determine whether any lands and property included in its boundaries should be excluded.

Sec. 3. The waters of the Rio Grande, constituting the south boundary line of District, to which the United States is entitled, are as established by the provisions of treaties between the United States of America and the United Mexican States and particularly a Treaty dated February 3, 1944, which became effective on November 8, 1945, hereinafter called "Treaty." Reference is made to said Treaty, protocol and its ratification agreement for all purposes of this Act. The United States' share of the waters of the Rio Grande below Fort Quitman, Texas, subject "to diversion" and "release" under the terms of said Treaty for utilization in said four (4) Counties are hereinafter referred to in this Act as "such waters." The District is hereby designated for the purposes enumerated herein as the lawfully accredited agent of the State of Texas and all persons, private corporations, water districts, municipalities and other political subdivisions of the State of Texas entitled to share in the use of such waters in said four (4) Counties. All such persons, private corporations, water districts, municipalities and other political subdivisions are hereinafter referred to as "water users." To the extent necessary, District is authorized and empowered to request the release of such waters from the United States Section of the International Boundary and Water Commission, an agency of the United States Government operating under the terms of said Treaty. Such waters are now in the judicial custody of the District Courts of Hidalgo County, Texas, and the exercise of the authority and control over such water by the District as set out in this Act is hereby postponed and shall not become effective in any particular until such time as the judicial custody of such water is terminated by said Courts having

jurisdiction thereof in cases now pending. At such time and thereafter, the District shall have power to:

(a) Control, conserve, protect, allocate, distribute and utilize such water for all useful purposes within the District in accordance with the rights to such water as adjudicated and established by final judgment(s) of a court having jurisdiction thereof;

(b) Make or cause to be made surveys and engineering investigation for the information of the District necessary to facilitate the accomplishment of the purposes for which it is created;

(c) Adopt and enforce reasonable rules and regulations to control the distribution of such water, to prevent waste of water or the unauthorized use thereof, to establish reasonable standards of procedure for the release of water and the diversion thereof by water users within the District and to prescribe penalties for the failure or refusal of water users to comply with such rules and regulations, and such penalties may include but are not limited to the right to refuse to permit water diversions by water users who do so fail or refuse to comply;

(d) File affidavits and otherwise act in the enforcement by contempt proceedings of the terms and conditions of permanent injunction(s) contained in final judgment(s) adjudicating the water rights of water users;

(e) Fix and collect water charges for services rendered by District as hereinafter set out and to impose and enforce penalties for failure to pay such charges when due, including the right to refuse water diversions by water users who fail or refuse to pay the same;

(f) Make contracts and to execute all instruments necessary or useful to the exercise of the powers, rights, privileges and functions of the District;

(g) Sue or be sued in its corporate name;

(h) Adopt, use and alter a corporate seal;

(i) Make bylaws for the management and regulation of its affairs;

(j) Hire and appoint officers, agents and employees, to prescribe their duties and fix their compensation;

(k) Acquire property necessary or useful to the exercise of the powers, rights, privileges and functions conferred upon it by this Act by purchase, lease or gift.

Sec. 4.

A. The District's powers shall be exercised through a Board of Directors consisting of nine (9) members, each of whom shall serve for a term of six (6) years, three⁽³⁾ of whom shall own taxable property and reside in that portion of the District located in Hidalgo County, three⁽³⁾ of whom shall own taxable property and reside in that portion of the District located in Cameron County, one of whom shall own taxable property and reside in that portion of the District located in Willacy County, one of whom shall own taxable property and reside in that portion of the District located in Starr County and one of whom shall own taxable property and reside in the District-at-large. The first election of a Board of Directors of District as hereinafter provided shall be held during the first calendar year, and not until such year, as will enable District to succeed and immediately follow but not interfere with the Courts' custody and control of such waters, regardless of how long such time may be after the passage of this Act. It is expressly provided that such judicial custody and control of such waters shall remain in the District Courts of Hidalgo County, Texas, pending appeal(s), if any, from final judgment(s) rendered therein and until District assumes control of such waters under the provisions of this Act.

B. The three⁽³⁾ directors from the area of the District located in Hidalgo County and the three⁽³⁾ directors from the area of the District located in Cameron County shall be selected in the following manner:

(1) Cities and Towns: (a) One representative of each city or town located in that portion of District situated in Cameron County shall meet at the courthouse in Brownsville, Texas, at 9:30 ^{a.m.} ~~A.M.~~ on the second Tuesday in February of each year in which such an election is necessary under the provisions of this Act. One representative of each city or town located in that portion of District situated in Hidalgo County shall meet at the courthouse in Edinburg,

Texas, at 9:30 ^{a.m.} ~~A.M.~~ on the second Tuesday in February of each year in which such an election is necessary under the provisions of this Act. Each of such representatives shall be appointed by the governing board of such city or town which he is to represent, shall carry to such meeting proper credentials certifying his appointment as the representative of such city or town and such credentials shall also state the population of such city or town according to the latest ~~Federal~~ Census. The initial meeting of said representatives of cities and towns will be presided over by the County Judge in each of the respective Counties or his representative, and there shall be elected at such meeting from the representatives of said cities or towns a Chairman, Vice Chairman, Secretary and such other officers as may be considered necessary for the proper conduct of the meeting. After election of the officers of such meeting, the County Judge or his representative shall certify the results of the election and such certificate shall become a part of the minutes of the meeting. Upon such certification the elected officers of such meeting shall thereupon conduct the meeting, shall remain as officers of the representatives of cities and towns for two (2) years or until their successors are elected and shall serve as officers at the next annual meeting of the representatives of cities or towns in each of the respective counties until their successors have been elected.

(b) The Chairman of the meeting shall appoint a Credentials Committee which shall consist of three (3) members, and such Credentials Committee shall prepare a complete list of cities or towns in the District area situated in the respective county entitled to such waters in accordance with water rights established by final judgment(s) as herein set out. Such committee will examine the credentials of each representative of each such city or town and if such credentials appear to be correct and satisfactory, make proper entry thereof in a permanent book which will hereinafter be referred to as the Credentials Record. Such record will contain the name of the representative appointed, the name of the city or town represented and the population of such city or town according to the latest ~~Federal~~ Census. Such Credentials Record shall also indicate the number

of votes or fraction of a vote to be cast by each representative based upon one one-thousandth (1/1000) vote for each resident of the city or town represented computed according to the latest ~~Federal~~ ^{Federal} Census. After such Credentials Record is completed, it shall be delivered to the Secretary to be made a part of the minutes of such meeting.

(c) The Chairman shall then announce the Credentials Record as having been completed and shall call for nominations for one Director to the Board of Directors of District. After nominations are completed and recorded by the Secretary, the Chairman shall call for voting. Each representative will write his choice for Director on a paper ballot, sign his name to the ballot as well as the name of the city or town which he represents and deliver such ballot to the Chairman. When such ballots have been received by the Chairman, he shall announce the representative's name and the city or town represented by him, and the Secretary will thereupon announce the number of votes and fraction of a vote to be cast by such representative as indicated by the Credentials Record, and this information will be noted on the ballot and the Secretary will mark the Credentials Record to indicate such representative as having voted. After all ballots are received by the Chairman, or two ⁽²⁾ hours after the call for voting, the voting will be declared closed and thereafter no ballots will be received. The tabulation of ballots cast will be made after voting has been closed, and the person receiving the highest number of votes cast will be declared to be elected as a Director of the District for the ensuing term.

(2) Irrigated Lands: (a) Representatives of the irrigated lands located in that portion of District situated in Cameron County, Texas, shall meet at the ~~Courthouse~~ in Brownsville, Texas, at 2:00 ~~P.M.~~ ^{P.M.} on the second Tuesday in February of each year in which such an election is necessary under the provisions of this Act. Representatives of the irrigated lands located in that portion of District situated in Hidalgo County shall meet at the ~~Courthouse~~ in Edinburg, Texas, at 2:00 ~~P.M.~~ ^{P.M.} on the second Tuesday in February of each year in which such an election is necessary under the provisions of this Act. "Irrigated lands" for the purpose of this election ~~Section~~ of the Act only are defined as

including all lands located in the respective counties of District not embraced within a city or town. Such irrigated lands as are included within the boundaries of an organized and operative water control and improvement district or a water improvement district, shall be represented by one person appointed by the Board of Directors of each such local water district and such representative shall carry to such meeting proper credentials certifying his appointment as the representative of such local water district and stating the irrigated lands included in such local water district according to water rights established by final judgment(s) as herein set out, effective as of the date of certification.

(b) Irrigated lands not located within a water control and improvement district nor water improvement district shall be represented by the owner of such land or by a person designated in writing by the owner to represent such lands at the meeting. If the owner or owners represent lands in the District such owner or owners shall furnish the Credentials Committee with satisfactory proof of ownership. The representative of such lands if other than the owner shall be certified by the duly authorized owner or owners as the representative of such lands by written certificate signed by the owner or owners and such written certificate shall also set forth the irrigated lands according to water rights established by final judgment(s) as herein set out, effective as of the date of certification. Such certification shall be executed by the owner or owners before a Notary Public.

(c) The initial meeting of the representatives of irrigated lands in Hidalgo and Cameron Counties shall be presided over by the respective County Judge in each of said Counties or his representative and there shall be elected at such meeting from the representatives of irrigated lands a Chairman, Vice Chairman, Secretary and such other officers as may be considered necessary for the proper conduct of the meeting. After election of the officers of such meeting, the respective County Judge or his representative shall each certify the results of the election and such certificate shall become a part of the minutes of the meeting. Upon certification the elected officers of such meeting shall thereupon

conduct the meeting, shall remain as officers of the representatives of irrigated lands for two (2) years or until their successors are elected and shall serve as officers at the next annual meeting of the representatives of irrigated lands in each of the respective two (2) Counties until their successors have been elected.

(d) The Chairman of the meeting shall appoint a Credentials Committee which shall consist of three (3) members, and such Credentials Committee shall prepare a complete list of irrigated lands in the District area situated in the respective County entitled to such waters in accordance with such established water rights. Such Committee shall examine the credentials of each representative of irrigated lands and if such credentials appear to be correct and satisfactory, make proper entry thereof in the Credentials Record. Such record will contain the name of the owner or the representative appointed by such owner and a brief description of the irrigated lands, according to such established water rights. Such Credentials Record shall also indicate the number of votes or fraction of a vote to be cast by each owner or representative of irrigated lands based upon one one-thousandth ($1/1000$) vote for each acre entitled to such established water rights. After such Credentials Record is completed, it shall be delivered to the Secretary to be made a part of the minutes of such meeting.

(e) The Chairman shall then announce the Credentials Record as having been completed and shall call for nominations for two (2) Directors to the Board of Directors of District. After nominations are completed and recorded by the Secretary, the Chairman shall call for voting. Each owner or representative will write his choice for two (2) Directors on a paper ballot, sign his name on the ballot as well as a brief description of the irrigated land he owns or represents and deliver such ballot to the Chairman.

(f) When such ballots have been received by the Chairman, he shall announce the owner's or representative's name and the lands owned or represented by him and the Secretary will thereupon announce the number of votes to be cast by such owner or representative as indicated by the Credentials Record,

and this information, as to number of votes, will be noted on the ballot and the Secretary will mark the Credentials Record to indicate such owner or representative as having voted. After all ballots are received by the Chairman, or two (2) hours after the call for voting, the voting will be declared closed and thereafter no ballots will be received. The tabulation of ballots cast will be made after voting has been closed, and the two (2) persons receiving the highest number of votes cast will be declared to be elected as Directors of the District for the ensuing term.

C. The one Director from the area of the District located in Starr County and the one Director from the area of the District located in Willacy County shall be selected in the following manner: Representatives of cities or towns and representatives of irrigated lands in that portion of District situated in each of such two (2) Counties shall be selected and designated as set forth in Section 4, Subsections B(1) and B(2) above and shall meet at the Courthouse of their respective Counties at 9:30 ^{2 M.} ~~A.M.~~ on the second Tuesday in February in each year in which such an election is necessary under the provisions of this Act. Each of such meetings shall be a joint meeting of the representatives of cities and towns and the representatives of irrigated lands in that portion of District situated in each of such two (2) Counties. The County Judge of each of said Counties, respectively, or his representative shall preside at each meeting and such meetings shall be conducted in the same manner and on the same basis as set out in Section 4, Subsections B(1) and B(2) above except that the one Director from the area of the District located in Starr County and the one Director from the area of the District located in Willacy County shall be selected by the combined vote of the representatives of cities and towns and the representatives of irrigated lands in each of such County areas.

D. The completed minutes of each meeting held for the election of Directors shall be mailed or delivered to the County Judge of Hidalgo County, Texas, in the case of the first meeting not later than the third Thursday in February following such elections. The said County Judge shall, upon receipt of the minutes of all meetings, notify each elected Director in writing of his election and request his attendance at an organizational meeting to be held at 10:00 ^{2. M}~~A. M.~~ on the first Monday in March after said first elections in the County Courthouse at Edinburg, Texas. The County Judge of Hidalgo County, Texas, or his representative shall preside at this organizational meeting. The eight (8) members of the Board of Directors selected as set out above shall elect a member-at-large from the District and the entire Board shall thereupon elect its officers. All records of election and minutes of the various meetings shall thereupon be delivered to the Secretary of the Board of Directors. Three ⁽³⁾ of the members of the first Board of Directors so elected shall serve for six (6) years, three ⁽³⁾ of the members of the first Board of Directors so elected shall serve for four (4) years and three ⁽³⁾ of the members of the first Board of Directors so elected shall serve for two (2) years from the date of said organizational meeting, and upon the expiration of the respective terms of said first Directors, the successors of each and all of them shall be elected thereafter for a term of six (6) years. The first Directors shall then determine by lot (unless otherwise determined by unanimous vote of the Board of Directors) the three ⁽³⁾ Directors whose terms shall be for six (6) years, the three ⁽³⁾ Directors whose terms shall be for four (4) years and the three ⁽³⁾ Directors whose terms shall be for two (2) years. The Board of Directors shall proceed to employ a Water Master and perform such other duties as may be necessary for District to assume control of such waters and commence operations at midnight of March ~~Fifteenth~~ ^(15th) of the first year after such meetings and elections are held.

At all subsequent meetings following elections of Directors, the completed minutes of each meeting shall be delivered to the President of the Board of Directors and the Secretary of the Board of Directors shall notify in writing each elected Director of his election. The annual meeting of representatives to elect Directors at the second and all subsequent meetings will be held at a place and time to be designated by the Board of Directors of District and publication of such time and place shall be given in the same manner as notice of election of Directors of a water control and improvement district. The dates set out in this Section for the various meetings shall be applicable to the first meetings only and subsequent meetings may be held upon such date, time and place as directed by the Board of Directors.

E. Each Director shall serve for his term of office as herein provided and thereafter until his successor shall be elected and qualified. Vacancies occurring on the Board of Directors shall be filled for the unexpired term by the election body which last elected the Director whose position is to be filled and in the manner herein provided for election of Directors. To be qualified for election to the Board of Directors a person must be more than twenty-one (21) years of age. No member of a governing body of a city, town, local water district or other political subdivision of the State, and no employee or agent of such city, town, local water district or other political subdivision of the State shall serve as a Director.

F. Each Director shall subscribe to the constitutional oath of office and shall give bond in the amount of Five Thousand Dollars (\$5,000) for the faithful performance of his duties, the cost of such bond to be paid by the District.

G. Each Director shall receive a fee of not to exceed Twenty-five Dollars (\$25) for attending each regular or special meeting of the Board, and shall also be reimbursed actual expenses incurred in attending to District business, provided such fee and expenses are authorized and approved by the Board of Directors.

H. The Board of Directors shall perform official actions by resolution, and six (6) Directors shall constitute a quorum for the transaction of any and all business of District. A majority vote of those present shall be sufficient in all official actions including final passage and enactment of all resolutions.

I. The Board of Directors shall hold regular meetings every two (2) months, the dates thereof to be established in the District's bylaws or by resolution. The President, or in his absence or disability, the Vice President, or any three (3) members may call such special meetings as may be necessary in the administration of the District's business, provided that at least five (5) days prior to the meeting date notice thereof shall have been mailed to the address which each member shall file with the Secretary. Notices of special meetings may be waived in writing by any Director.

J. The President of the District shall be elected by the Board of Directors from among its members. He shall preside at the meetings of the Board and shall perform all other functions which customarily are incident to his office. A Vice President shall be elected by the Board from among its members, and shall act as President in case of the inability, absence or failure of the President to so act. A Secretary shall be elected by the Board with the Board having discretion as to whether such officer shall be chosen from among the members of the Board. The Secretary shall be charged with the duty of seeing that all books and records of the District are properly kept. All such officers shall hold office for such term and be subject to removal in such manner as may be provided by the bylaws.

K. The Board shall employ a Water Master for the District who shall be the general manager and chief executive officer of the District, and the Board may accord him full power and authority in the management and operation of the affairs of the District, subject only to the orders of the Board, and may determine his compensation. The Board shall authorize the Water Master to

employ and determine the compensation of such other employees as may be deemed appropriate and necessary to the proper conduct of the District's affairs. The Board shall have authority to provide for the removal of all employees. The Water Master shall be the official treasurer of the District and have charge of its funds and any unexpended or uncommitted funds on deposit with the Clerk of the District Court of Hidalgo County, Texas, upon termination of judicial control and custody of such waters as may be turned over to the District by said Courts; shall see that same are safely kept; and shall account therefor to the Board. The Water Master shall give bond in such amount as may be required by the Board but in no event less than Fifty Thousand Dollars (\$50,000). The expense of the bond premium shall be paid by the District.

L. The moneys of the District shall be disbursed only on checks, drafts, orders or other instruments signed by such persons as shall be authorized by the bylaws and resolutions of the Board of Directors.

M. A regular office shall be established and maintained for the conduct of the District's business, which shall be at a location to be determined by the Board. The Board of Directors shall keep a true and full account of the proceedings of its meetings, and shall preserve its minutes, contracts, records, notices, accounts, receipts and all permanent records in a fireproof vault or safe.

N. The Board of Directors shall cause to be kept complete and accurate accounts conforming to approved methods of bookkeeping and such accounts and all contracts, documents, and records of the District shall be kept at its principal office and shall be open to public inspection at all reasonable times. Within ninety (90) days after the end of each calendar year, the Board shall cause to be made and completed an audit of books of account and financial records of the District for the preceding calendar year, such audit to be made by an independent

Certified Public Accountant, or a firm of Certified Public Accountants. Copies of the written report of such audit certified to by said accountant or accountants shall be placed and kept on file at the office of the District and shall be open to public inspection at all reasonable times.

O. The Board of Directors shall designate one or more banks within the District to serve as depository for the funds of the District. All funds of the District shall be deposited in such depository bank or banks. All funds deposited shall be secured in the manner provided by law for the security of county funds.

P. The Board shall establish and collect water charges for all the services performed by the District from water users, which rates and charges shall be reasonable and non~~o~~discriminatory and sufficient to produce revenue adequate to pay for all expenses necessary to the operation of the offices, properties and facilities of the District. The water charges may be assessed and collected ratably on an irrigable acreage basis among water users using water for irrigation and assessed and collected ratably on a per-acre-foot-of-water basis among water users using water for uses other than for irrigation, and during the first year of operation of District in control of such water, such charges shall not be more than those assessed by the Court(s) in the last year during which such regulatory services were performed under the judicial custody of the Court, and all cities, towns, local water districts and other political subdivisions situated within the boundaries of District are authorized to pay such water charges which are hereby found to be of benefit to said water users.

Sec. 5. The District shall, within the reasonable limitations of the available water supply and the existing facilities and its own authority, permit water users to divert such water as they may be entitled to at a point or place on the Rio Grande where the individual water user can most economically divert it. The Board shall adopt and publish reasonable rules and regulations for the control and distribution of such water, for the prevention of waste or the unauthorized use thereof, for procedures governing the requests for release of water and the diversion thereof by water users within the District and shall prescribe and publish rules describing penalties for the failure or refusal of water users to comply therewith. Each water user may enforce his right to water against the District in any manner provided by law.

Sec. 6. All cities, towns, local water districts, navigation districts and other political subdivisions which lie within the boundaries of the District shall continue to exercise their respective functions in the manner provided by law, and nothing in this Act shall be construed as abolishing or dissolving such cities, towns, local water districts, navigation districts and other political subdivisions or to permit District in any particular to interfere with the internal affairs of such cities, towns, water districts, navigation districts and other political subdivisions.

Sec. 7. No provision of this Act, regardless of other Sections herein, shall affect, alter, change, increase or diminish in any particular the substantive water rights of any water user.

Sec. 8. District is expressly prohibited from contracting in any manner or extent for the construction of a water transportation or drainage system or for a new source of water supply.

Sec. 9. District is expressly prohibited from submitting a bond issue, from levying an ad valorem tax and from issuing revenue bonds.

Sec. 10. The District Court having jurisdiction over water users as defined in this Act may punish any of said water users found guilty of contempt of such Court by fine not exceeding One Thousand Dollars (\$1,000) and by imprisonment not exceeding three (3) days.

Sec. 11. The District shall not be required to give a cost, supersedeas bond or other court bonds, or to pay a cost deposit on any appeal from the judgment of any court in this State.

Sec. 12. This Act shall be cumulative of all other Acts, but to the extent that its provisions are inconsistent with or in conflict with any other Act, the provisions of this Act shall prevail and take precedence.

Sec. 13. Nothing herein contained shall be construed in any manner such as might preclude full compliance with the provisions of any treaty, entered into and signed by the United States of America and the United Mexican States. All actions and rights existing under the authority of this Act shall be controlled to the extent necessary to afford full compliance with the terms of said treaties.

Sec. 14. Nothing in this Act or any other act or law contained, however, shall be construed as authorizing the District to levy or collect taxes or assessments other than water charges adequate to pay the cost of exercising its regulatory powers as set out in this Act, nor shall District create any indebtedness payable out of taxes or assessments other than those authorized herein or in any way pledge the credit of the State.

Sec. 15. Nothing in this Act shall be construed to violate any provisions of the Federal or State Constitutions, and all acts done under this Act shall be done in such a manner as will conform thereto, whether herein expressly provided or not. Where any procedure hereunder may be held by any Court to be violative of either of such Constitutions, the District shall have the power by resolution to provide an alternative procedure conformable with such Constitutions. If any provision of this Act shall be invalid, such fact shall not affect the creation of the District, or the validity of any other provisions of this Act, and the Legislature here declares that it would have created the District and enacted the valid provisions of this Act, notwithstanding the invalidity of any other provision or provisions hereof.

Sec. 16. The fact that the creation of such District will result in material benefit to the State of Texas and to the territory included in said District and

will effectively promote the conservation and preservation of the waters of the State of Texas, creates an emergency and an imperative public necessity that the Constitutional Rule requiring that bills be read on three several days in each House be suspended, and such Rule is hereby suspended, and that this Act shall be in full force and take effect from and after its passage, and it is so enacted.

FORM A

(For favorable and unfavorable reports on bills and resolutions, where no committee amendments are recommended.)

COMMITTEE ROOM

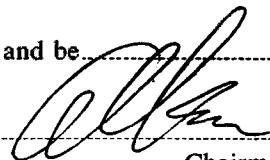
Date May 1, 1963

HON. BYRON M. TUNNELL

Speaker of the House of Representatives.

Sir:

We, your Committee on State Affairs, to whom was referred H.B. No. 752, have had the same under consideration and beg to report back with recommendation that it { ~~do~~ } pass, and be printed



Chairman.

(When this form is used for a favorable report on a general bill the words "do not" are marked out. If the bill is a local bill the word "not" should be inserted before the word "printed." When used for an unfavorable report the word "do" is marked out, the comma after "pass" is changed to a period, and the remaining words also marked out.

When this form is used for a simple or concurrent resolution the comma after "pass" should be changed to a period and the remaining words stricken out because resolutions are printed in the Journal when first introduced.)

By: Murray, Pipkin

H. B. No. 752

A BILL TO BE ENTITLED

AN ACT

relating to the creation of a conservation and reclamation district to be known as the Lower Rio Grande Water Conservancy District, and providing for its administration, rights, powers, duties, and operating procedures; authorizing the District Court to punish for contempt in certain cases; providing that the Act shall be cumulative of other Acts where not inconsistent or in conflict; providing for severability; and declaring an emergency.

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Sec. 2. The territory which shall be embraced within the boundaries of the District shall consist of that part of the State of Texas which is included within the whole of Starr, Hidalgo, Cameron and Willacy Counties. It is provided, however, that the boundaries of said District, as hereby established, shall control only until the actual boundaries of the area within said four (4)

Counties having a right to share in the waters of the Rio Grande as hereinafter defined have been established by final judgment or judgments of a court or courts having jurisdiction thereof. As soon as practical after such judgment(s) do become final, the Board of Directors hereinafter elected are directed to define said actual boundaries by written calls of the metes and bounds and file the same with accompanying map or maps in the office of the District in appropriate form. No defect or irregularity in the boundaries of the District shall ever affect the validity of the District hereby created or any part of its rights, powers, privileges or functions. It is hereby affirmatively found and determined that all of the lands and property included within the boundaries of the District will be benefited and that the District is created to serve a public use and benefit. No election shall be necessary for the purpose of confirming its organization and no hearing shall be held to determine whether any lands and property included in its boundaries should be excluded.

Sec. 3. The waters of the Rio Grande, constituting the south boundary line of District, to which the United States is entitled, are as established by the provisions of treaties between the United States of America and the United Mexican States and particularly a Treaty dated February 3, 1944, which became effective on November 8, 1945, hereinafter called "Treaty." Reference is made to said Treaty, protocol and its ratification agreement for all purposes of this Act. The United States' share of the waters of the Rio Grande below Fort Quitman, Texas, subject "to diversion" and "release" under the terms of said Treaty for utilization in said

four (4) Counties are hereinafter referred to in this Act as "such waters." The District is hereby designated for the purposes enumerated herein as the lawfully accredited agent of the State of Texas and all persons, private corporations, water districts, municipalities and other political subdivisions of the State of Texas entitled to share in the use of such waters in said four (4) Counties. All such persons, private corporations, water districts, municipalities and other political subdivisions are hereinafter referred to as "water users." To the extent necessary, District is authorized and empowered to request the release of such waters from the United States Section of the International Boundary and Water Commission, an agency of the United States Government operating under the terms of said Treaty. Such waters are now in the judicial custody of the District Courts of Hidalgo County, Texas, and the exercise of the authority and control over such water by the District as set out in this Act is hereby postponed and shall not become effective in any particular until such time as the judicial custody of such water is terminated by said Courts having jurisdiction thereof in cases now pending. At such time and thereafter, the District shall have power to:

(a) Control, conserve, protect, allocate, distribute and utilize such water for all useful purposes within the District in accordance with the rights to such water as adjudicated and established by final judgment(s) of a court having jurisdiction thereof;

(b) Make or cause to be made surveys and engineering investigation for the information of the District necessary to facilitate the accomplishment of the purposes for which it is created;

(c) Adopt and enforce reasonable rules and regulations to control the distribution of such water, to prevent waste of water or the unauthorized use thereof, to establish reasonable standards of procedure for the release of water and the diversion thereof by water users within the District and to prescribe penalties for the failure or refusal of water users to comply with such rules and regulations, and such penalties may include but are not limited to the right to refuse to permit water diversions by water users who do so fail or refuse to comply;

(d) File affidavits and otherwise act in the enforcement by contempt proceedings of the terms and conditions of permanent injunction(s) contained in final judgment(s) adjudicating the water rights of water users;

(e) Fix and collect water charges for services rendered by District as hereinafter set out and to impose and enforce penalties for failure to pay such charges when due, including the right to refuse water diversions by water users who fail or refuse to pay the same;

(f) Make contracts and to execute all instruments necessary or useful to the exercise of the powers, rights, privileges and functions of the District;

(g) Sue or be sued in its corporate name;

(h) Adopt, use and alter a corporate seal;

(i) Make bylaws for the management and regulation of its affairs;

(j) Hire and appoint officers, agents and employees, to prescribe their duties and fix their compensation;

(k) Acquire property necessary or useful to the exercise of the powers, rights, privileges and functions conferred upon it by this Act by purchase, lease or gift.

Sec. 4. A. The District's powers shall be exercised through a Board of Directors consisting of nine (9) members, each of whom shall serve for a term of six (6) years, three (3) of whom shall own taxable property and reside in that portion of the District located in Hidalgo County, three (3) of whom shall own taxable property and reside in that portion of the District located in Cameron County, one of whom shall own taxable property and reside in that portion of the District located in Willacy County, one of whom shall own taxable property and reside in that portion of the District located in Starr County and one of whom shall own taxable property and reside in the District-at-large. The first election of a Board of Directors of District as hereinafter provided shall be held during the first calendar year, and not until such year, as will enable District to succeed and immediately follow but not interfere with the Courts' custody and control of such waters, regardless of how long such time may be after the passage of this Act. It is expressly provided that such judicial custody and control of such waters shall remain in the District Courts of Hidalgo County, Texas, pending appeal(s), if any, from final judgment(s) rendered therein and until District assumes control of such waters under the provisions of this Act.

B. The three (3) Directors from the area of the District located in Hidalgo County and the three (3) Directors from the area of the District located in Cameron County shall be selected in the following manner:

(1) Cities and Towns: (a) One representative of each city or town located in that portion of District situated in Cameron County shall meet at the courthouse in Brownsville, Texas, at 9:30 a.m. on the second Tuesday in February of each year in which such an election is necessary under the provisions of this Act. One representative of each city or town located in that portion of District situated in Hidalgo County shall meet at the courthouse in Edinburg, Texas, at 9:30 a.m. on the second Tuesday in February of each year in which such an election is necessary under the provisions of this Act. Each of such representatives shall be appointed by the governing board of such city or town which he is to represent, shall carry to such meeting proper credentials certifying his appointment as the representative of such city or town and such credentials shall also state the population of such city or town according to the latest Federal Census. The initial meeting of said representatives of cities and towns will be presided over by the County Judge in each of the respective Counties or his representative, and there shall be elected at such meeting from the representatives of said cities or towns a Chairman, Vice Chairman, Secretary and such other officers as may be considered necessary for the proper conduct of the meeting. After election of the officers of such meeting, the County Judge or his representative shall certify the results of the election and such certificate shall

become a part of the minutes of the meeting. Upon such certification the elected officers of such meeting shall thereupon conduct the meeting, shall remain as officers of the representatives of cities and towns for two (2) years or until their successors are elected and shall serve as officers at the next annual meeting of the representatives of cities or towns in each of the respective counties until their successors have been elected.

(b) The Chairman of the meeting shall appoint a Credentials Committee which shall consist of three (3) members, and such Credentials Committee shall prepare a complete list of cities or towns in the District area situated in the respective county entitled to such waters in accordance with water rights established by final judgment(s) as herein set out. Such Committee will examine the credentials of each representative of each such city or town and if such credentials appear to be correct and satisfactory, make proper entry thereof in a permanent book which will hereinafter be referred to as the Credentials Record. Such record will contain the name of the representative appointed, the name of the city or town represented and the population of such city or town according to the latest Federal Census. Such Credentials Record shall also indicate the number of votes or fraction of a vote to be cast by each representative based upon one one-thousandth (1/1000) vote for each resident of the city or town represented computed according to the latest Federal Census. After such Credentials Record is completed, it shall be delivered to the Secretary to be made a part of the minutes of such meeting.

(c) The Chairman shall then announce the Credentials Record as having been completed and shall call for nominations for one Director to the Board of Directors of District. After nominations are completed and recorded by the Secretary, the Chairman shall call for voting. Each representative will write his choice for Director on a paper ballot, sign his name to the ballot as well as the name of the city or town which he represents and deliver such ballot to the Chairman. When such ballots have been received by the Chairman, he shall announce the representative's name and the city or town represented by him, and the Secretary will thereupon announce the number of votes and fraction of a vote to be cast by such representative as indicated by the Credentials Record, and this information will be noted on the ballot and the Secretary will mark the Credentials Record to indicate such representative as having voted. After all ballots are received by the Chairman, or two (2) hours after the call for voting, the voting will be declared closed and thereafter no ballots will be received. The tabulation of ballots cast will be made after voting has been closed, and the person receiving the highest number of votes cast will be declared to be elected as a Director of the District for the ensuing term.

(2) Irrigated Lands: (a) Representatives of the irrigated lands located in that portion of District situated in Cameron County, Texas, shall meet at the courthouse in Brownsville, Texas, at 2:00 p.m. on the second Tuesday in February of each year in which such an election is necessary under the provisions of this Act. Representatives of the irrigated lands located in that portion

of District situated in Hidalgo County shall meet at the courthouse in Edinburg, Texas, at 2:00 p.m. on the second Tuesday in February of each year in which such an election is necessary under the provisions of this Act. "Irrigated lands" for the purpose of this election Section of the Act only are defined as including all lands located in the respective counties of District not embraced within a city or town. Such irrigated lands as are included within the boundaries of an organized and operative water control and improvement district or a water improvement district, shall be represented by one person appointed by the Board of Directors of each such local water district and such representative shall carry to such meeting proper credentials certifying his appointment as the representative of such local water district and stating the irrigated lands included in such local water district according to water rights established by final judgment(s) as herein set out, effective as of the date of certification.

(b) Irrigated lands not located within a water control and improvement district nor water improvement district shall be represented by the owner of such land or by a person designated in writing by the owner to represent such lands at the meeting. If the owner or owners represent lands in the District such owner or owners shall furnish the Credentials Committee with satisfactory proof of ownership. The representative of such lands if other than the owner shall be certified by the duly authorized owner or owners as the representative of such lands by written certificate signed by the owner or owners and such written certificate shall also set

forth the irrigated lands according to water rights established by final judgment(s) as herein set out, effective as of the date of certification. Such certification shall be executed by the owner or owners before a Notary Public.

(c) The initial meeting of the representatives of irrigated lands in Hidalgo and Cameron Counties shall be presided over by the respective County Judge in each of said Counties or his representative and there shall be elected at such meeting from the representatives of irrigated lands a Chairman, Vice Chairman, Secretary and such other officers as may be considered necessary for the proper conduct of the meeting. After election of the officers of such meeting, the respective County Judge or his representative shall each certify the results of the election and such certificate shall become a part of the minutes of the meeting. Upon certification the elected officers of such meeting shall thereupon conduct the meeting, shall remain as officers of the representatives of irrigated lands for two (2) years or until their successors are elected and shall serve as officers at the next annual meeting of the representatives of irrigated lands in each of the respective two (2) Counties until their successors have been elected.

(d) The Chairman of the meeting shall appoint a Credentials Committee which shall consist of three (3) members, and such Credentials Committee shall prepare a complete list of irrigated lands in the District area situated in the respective County entitled to such waters in accordance with such established water rights. Such Committee shall examine the credentials of each representative of irrigated lands and if such credentials appear to be correct and satisfactory, make proper entry thereof in the Credentials Record. Such record will contain the name of the owner or the representative

appointed by such owner and a brief description of the irrigated lands, according to such established water rights. Such Credentials Record shall also indicate the number of votes or fraction of a vote to be cast by each owner or representative of irrigated lands based upon one one-thousandth ($1/1000$) vote for each acre entitled to such established water rights. After such Credentials Record is completed, it shall be delivered to the Secretary to be made a part of the minutes of such meeting.

(e) The Chairman shall then announce the Credentials Record as having been completed and shall call for nominations for two (2) Directors to the Board of Directors of District. After nominations are completed and recorded by the Secretary, the Chairman shall call for voting. Each owner or representative will write his choice for two (2) Directors on a paper ballot, sign his name on the ballot as well as a brief description of the irrigated land he owns or represents and deliver such ballot to the Chairman.

(f) When such ballots have been received by the Chairman, he shall announce the owner's or representative's name and the lands owned or represented by him and the Secretary will thereupon announce the number of votes to be cast by such owner or representative as indicated by the Credentials Record, and this information, as to number of votes, will be noted on the ballot and the Secretary will mark the Credentials Record to indicate such owner or representative as having voted. After all ballots are received by the Chairman, or two (2) hours after the call for voting, the voting will be declared closed and thereafter no ballots will be received. The tabulation of ballots cast will be made after voting has been closed, and the two (2) persons receiving the highest number of votes cast will be declared to be elected as Directors of the District for the ensuing term.

C. The one Director from the area of the District located in Starr County and the one Director from the area of the District located in Willacy County shall be selected in the following manner: Representatives of cities or towns and representatives of irrigated lands in that portion of District situated in each of such two (2) Counties shall be selected and designated as set forth in Section 4, Subsections B(1) and B(2) above and shall meet at the courthouse of their respective Counties at 9:30 a.m. on the second Tuesday in February in each year in which such an election is necessary under the provisions of this Act. Each of such meetings shall be a joint meeting of the representatives of cities and towns and the representatives of irrigated lands in that portion of District situated in each of such two (2) Counties. The County Judge of each of said Counties, respectively, or his representative shall preside at each meeting and such meetings shall be conducted in the same manner and on the same basis as set out in Section 4, Subsections B(1) and B(2) above except that the one Director from the area of the District located in Starr County and the one Director from the area of the District located in Willacy County shall be selected by the combined vote of the representatives of cities and towns and the representatives of irrigated lands in each of such County areas.

D. The completed minutes of each meeting held for the election of Directors shall be mailed or delivered to the County Judge of Hidalgo County, Texas, in the case of the first meeting not later than the third Thursday in February following such elections. The said County Judge shall, upon receipt of the minutes of all meetings, notify each elected Director in writing of his election and request his attendance at an organizational meeting to be held at 10:00 a.m. on the first Monday in March after

said first elections in the County Courthouse at Edinburg, Texas. The County Judge of Hidalgo County, Texas, or his representative shall preside at this organizational meeting. The eight (8) members of the Board of Directors selected as set out above shall elect a member-at-large from the District and the entire Board shall thereupon elect its officers. All records of election and minutes of the various meetings shall thereupon be delivered to the Secretary of the Board of Directors. Three (3) of the members of the first Board of Directors so elected shall serve for six (6) years, three (3) of the members of the first Board of Directors so elected shall serve for four (4) years and three (3) of the members of the first Board of Directors so elected shall serve for two (2) years from the date of said organizational meeting, and upon the expiration of the respective terms of said first Directors, the successors of each and all of them shall be elected thereafter for a term of six (6) years. The first Directors shall then determine by lot (unless otherwise determined by unanimous vote of the Board of Directors) the three (3) Directors whose terms shall be for six (6) years, the three (3) Directors whose terms shall be for four (4) years and the three (3) Directors whose terms shall be for two (2) years. The Board of Directors shall proceed to employ a Water Master and perform such other duties as may be necessary for District to assume control of such waters and commence operations at midnight of March 15th of the first year after such meetings and elections are held.

At all subsequent meetings following elections of Directors, the completed minutes of each meeting shall be delivered to the

President of the Board of Directors and the Secretary of the Board of Directors shall notify in writing each elected Director of his election. The annual meeting of representatives to elect Directors at the second and all subsequent meetings will be held at a place and time to be designated by the Board of Directors of District and publication of such time and place shall be given in the same manner as notice of election of Directors of a water control and improvement district. The dates set out in this Section for the various meetings shall be applicable to the first meetings only and subsequent meetings may be held upon such date, time and place as directed by the Board of Directors.

E. Each Director shall serve for his term of office as herein provided and thereafter until his successor shall be elected and qualified. Vacancies occurring on the Board of Directors shall be filled for the unexpired term by the election body which last elected the Director whose position is to be filled and in the manner herein provided for election of Directors. To be qualified for election to the Board of Directors a person must be more than twenty-one (21) years of age. No member of a governing body of a city, town, local water district or other political subdivision of the State, and no employee or agent of such city, town, local water district or other political subdivision of the State shall serve as a Director.

F. Each Director shall subscribe to the Constitutional oath of office and shall give bond in the amount of Five Thousand Dollars (\$5,000) for the faithful performance of his duties, the cost of such bond to be paid by the District.

G. Each Director shall receive a fee of not to exceed Twenty-five Dollars (\$25) for attending each regular or special meeting of the Board, and shall also be reimbursed actual expenses incurred in attending to District business, provided such fee and expenses are authorized and approved by the Board of Directors.

H. The Board of Directors shall perform official actions by resolution, and six (6) Directors shall constitute a quorum for the transaction of any and all business of District. A majority vote of those present shall be sufficient in all official actions including final passage and enactment of all resolutions.

I. The Board of Directors shall hold regular meetings every two (2) months, the dates thereof to be established in the District's bylaws or by resolution. The President, or in his absence or disability, the Vice President, or any three (3) members may call such special meetings as may be necessary in the administration of the District's business, provided that at least five (5) days prior to the meeting date notice thereof shall have been mailed to the address which each member shall file with the Secretary. Notices of special meetings may be waived in writing by any Director.

J. The President of the District shall be elected by the Board of Directors from among its members. He shall preside at the meetings of the Board and shall perform all other functions which customarily are incident to his office. A Vice President shall be elected by the Board from among its members, and shall act as President in case of the inability, absence or failure of the

President to so act. A Secretary shall be elected by the Board with the Board having discretion as to whether such officer shall be chosen from among the members of the Board. The Secretary shall be charged with the duty of seeing that all books and records of the District are properly kept. All such officers shall hold office for such term and be subject to removal in such manner as may be provided by the bylaws.

K. The Board shall employ a Water Master for the District who shall be the general manager and chief executive officer of the District, and the Board may accord him full power and authority in the management and operation of the affairs of the District, subject only to the orders of the Board, and may determine his compensation. The Board shall authorize the Water Master to employ and determine the compensation of such other employees as may be deemed appropriate and necessary to the proper conduct of the District's affairs. The Board shall have authority to provide for the removal of all employees. The Water Master shall be the official treasurer of the District and have charge of its funds and any unexpended or uncommitted funds on deposit with the Clerk of the District Court of Hidalgo County, Texas, upon termination of judicial control and custody of such waters as may be turned over to the District by said Courts; shall see that same are safely kept; and shall account therefor to the Board. The Water Master shall give bond in such amount as may be required by the Board but in no event less than Fifty Thousand Dollars (\$50,000). The expense of the bond premium shall be paid by the District.

L. The moneys of the District shall be disbursed only on checks, drafts, orders or other instruments signed by such persons as shall be authorized by the bylaws and resolutions of the Board of Directors.

M. A regular office shall be established and maintained for the conduct of the District's business, which shall be at a location to be determined by the Board. The Board of Directors shall keep a true and full account of the proceedings of its meetings, and shall preserve its minutes, contracts, records, notices, accounts, receipts and all permanent records in a fire-proof vault or safe.

N. The Board of Directors shall cause to be kept complete and accurate accounts conforming to approved methods of bookkeeping and such accounts and all contracts, documents, and records of the District shall be kept at its principal office and shall be open to public inspection at all reasonable times. Within ninety (90) days after the end of each calendar year, the Board shall cause to be made and completed an audit of books of account and financial records of the District for the preceding calendar year, such audit to be made by an independent Certified Public Accountant, or a firm of Certified Public Accountants. Copies of the written report of such audit certified to by said accountant or accountants shall be placed and kept on file at the office of the District and shall be open to public inspection at all reasonable times.

O. The Board of Directors shall designate one or more banks within the District to serve as depository for the funds of the

District. All funds of the District shall be deposited in such depository bank or banks. All funds deposited shall be secured in the manner provided by law for the security of county funds.

P. The Board shall establish and collect water charges for all the services performed by the District from water users, which rates and charges shall be reasonable and nondiscriminatory and sufficient to produce revenue adequate to pay for all expenses necessary to the operation of the offices, properties and facilities of the District. The water charges may be assessed and collected ratably on an irrigable acreage basis among water users using water for irrigation and assessed and collected ratably on a per-acre-foot-of-water basis among water users using water for uses other than for irrigation, and during the first year of operation of District in control of such water, such charges shall not be more than those assessed by the Court(s) in the last year during which such regulatory services were performed under the judicial custody of the Court, and all cities, towns, local water districts and other political subdivisions situated within the boundaries of District are authorized to pay such water charges which are hereby found to be of benefit to said water users.

Sec. 5. The District shall, within the reasonable limitations of the available water supply and the existing facilities and its own authority, permit water users to divert such water as they may be entitled to at a point or place on the Rio Grande where the individual water user can most economically divert it. The Board shall adopt and publish reasonable rules and regulations for the control and distribution of such water, for the prevention

of waste or the unauthorized use thereof, for procedures governing the requests for release of water and the diversion thereof by water users within the District and shall prescribe and publish rules describing penalties for the failure or refusal of water users to comply therewith. Each water user may enforce his right to water against the District in any manner provided by law.

Sec. 6. All cities, towns, local water districts, navigation districts and other political subdivisions which lie within the boundaries of the District shall continue to exercise their respective functions in the manner provided by law, and nothing in this Act shall be construed as abolishing or dissolving such cities, towns, local water districts, navigation districts and other political subdivisions or to permit District in any particular to interfere with the internal affairs of such cities, towns, water districts, navigation districts and other political subdivisions.

Sec. 7. No provision of this Act, regardless of other Sections herein, shall affect, alter, change, increase or diminish in any particular the substantive water rights of any water user.

Sec. 8. District is expressly prohibited from contracting in any manner or extent for the construction of a water transportation or drainage system or for a new source of water supply.

Sec. 9. District is expressly prohibited from submitting a bond issue, from levying an ad valorem tax and from issuing revenue bonds.

Sec. 10. The District Court having jurisdiction over water users as defined in this Act may punish any of said water users

done under this Act shall be done in such a manner as will conform thereto, whether herein expressly provided or not. Where any procedure hereunder may be held by any court to be violative of either of such Constitutions, the District shall have the power by resolution to provide an alternative procedure conformable with such Constitutions. If any provision of this Act shall be invalid, such fact shall not affect the creation of the District, or the validity of any other provisions of this Act, and the Legislature here declares that it would have created the District and enacted the valid provisions of this Act, notwithstanding the invalidity of any other provision or provisions hereof.

Sec. 16. The fact that the creation of such District will result in material benefit to the State of Texas and to the territory included in said District and will effectively promote the conservation and preservation of the waters of the State of Texas, creates an emergency and an imperative public necessity that the Constitutional Rule requiring bills to be read on three several days in each House be suspended, and such Rule is hereby suspended, and that this Act shall be in full force and take effect from and after its passage, and it is so enacted.

Austin, Texas
May 15, 1963

Hon. Preston Smith
President of the Senate
Sir:

We, your Committee on Water and Conservation,
to whom was referred H_B. No. 752, have had the same under
consideration, and we are instructed to report it back to the
Senate with the recommendation that it do _____
pass _____ and be _____ printed.


Chairman

H. R. No. 152

By

Murray et al

A BILL
To Be Entitled

AN ACT relating to the creation of a
conservation and reclamation district
to be known as the Lower Rio Grande
Water Conservancy District, and
providing for its administration, rights,
powers, duties, and operating procedures;
authorizing the district court to punish
for contempt in certain cases; providing
that the act shall be cumulative of other
acts where not inconsistent or in conflict;
providing for severability; and declaring
an emergency.

FILED

MAR 6 - 1963

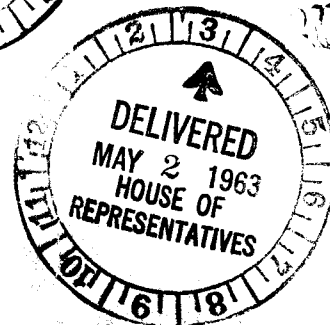
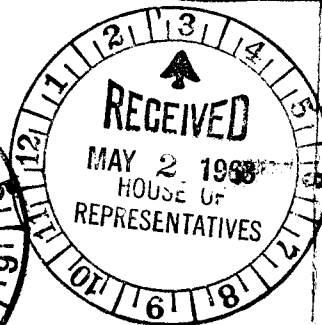
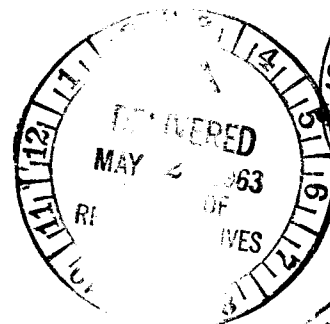
MAR 7 1963

READ 1ST TIME

AND REFERRED TO COMMITTEE ON

State Affairs

MAY 1 1963 REPORTED FAVORABLY SENT TO PRINTER



Dan Kirchbaum

MAY 8 - 1963

READ SECOND

TIME _____ AND

ORDERED _____ ENGROSSED

non-record rate

Dorothy Hallman

Chief Clerk, House of Representatives

MAY 8 1963

Motion to suspend all necessary rules
to consider, prevailed by _____ vote

non record

Dorothy Hallman

Chief Clerk, House of Representatives

MAY 8 1963

Read third time

and Passed

following vote: yeas _____

Nays _____

Dorothy Hallman

Chief Clerk
HOUSE OF REPRESENTATIVES

MAY 8 1963

SENT TO ENGROSSING CLERK

MAY 2 1963

RETURNED FROM PRINTER, SENT TO SPEAKER

By: Murray, Pipkin

H. B. No. 752

A BILL TO BE ENTITLED

AN ACT

relating to the creation of a conservation and reclamation district to be known as the Lower Rio Grande Water Conservancy District, and providing for its administration, rights, powers, duties, and operating procedures; authorizing the District Court to punish for contempt in certain cases; providing that the Act shall be cumulative of other Acts where not inconsistent or in conflict; providing for severability; and declaring an emergency._____

3-6-63 Filed._____

3-7-63 Read first time and referred to Committee on State Affairs._____

5-1-63 Reported favorably, sent to printer._____

5-2-63 Returned from printer, sent to Speaker._____

5-8-63 Read second time and ordered engrossed by a non-record vote._____

5-8-63 Motion to suspend all necessary rules to consider prevailed by a non-record vote._____

5-8-63 Read third time and passed by a non-record vote._____

Dorothy Hallman
Chief Clerk, H. of R.

5-8-63 Sent to Engrossing Clerk._____

5-8-63 Engrossed._____

MAY - 9 1963
IN THE SENATE

Area Suggins
Engrossing Clerk, H. of R.

Received from
the House,

MAY 9 1963 RETURNED FROM ENGROSSING

MAY 9 1963 SENT TO THE SENATE

MAY 13 1963

Read first time
and referred to Committee
on Water & Conservation

MAY 15 1963 Reported Favorably,

MAY 22 1963

Regular order of business failed to
suspend by vote of

16 yeas, 8 nays, 1 present not voting
to permit consideration.

MAY 23 1963

Regular order of business failed to
suspend by vote of

14 yeas, 10 nays
to permit consideration.